

unanimous rating of "qualified" by the American Bar Association Standing Committee on the Federal Judiciary and I am confident that if confirmed, he will be an excellent fit for the U.S. District Court for the Southern District of New York. I urge my colleagues to join me in voting yes on this nomination.

Mr. COONS. Mr. President, it is with great pleasure that I speak today on behalf of J. Paul Oetken's nomination to be U.S. District Judge for the Southern District of New York. Mr. Oetken and I knew each other while we were law students at Yale, and I have followed his career with great interest since then. Mr. Oetken is, in my view, a strikingly intelligent man. His varied career—in private practice, with Jenner & Block and Debevoise & Plimpton; in the public sector with a number of admirable clerkships, culminating with a Supreme Court clerkship for Justice Blackmun; with the Office of Legal Counsel and the White House Counsel's Office; and, now, in the business world, where he is vice president and associate general counsel for Cablevision—demonstrates a searching intellect and great capability.

Mr. Oetken possesses a unique combination of perspectives and an exceptional series of qualifications. Given Mr. Oetken's obvious talent and broad experience, I am confident he will make a great Federal judge. In my view, it is an added and important bonus that, as the first openly gay man confirmed to the Federal bench, his service will also move us closer to full equality in our Nation. His confirmation will inspire future judges, lawyers and litigants with the knowledge that, for gay, lesbian, bisexual, and transgendered Americans, it does get better in our Nation's long journey to inclusion and justice.

Mr. LEAHY. Have the yeas and nays been ordered on the nomination?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the Senate advise and consent to the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 13, as follows:

[Rollcall Vote No. 112 Ex.]

#### YEAS—80

Akaka	Feinstein	Menendez
Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Sanders
Burr	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Tester
Coburn	Lautenberg	Thune
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Coons	Lieberman	Warner
Corker	Lugar	Webb
Cornyn	Manchin	Whitehouse
Durbin	McCain	Wyden
Enzi	McCaskill	

#### NAYS—13

Blunt	Hatch	Risch
Boozman	Hutchison	Roberts
Cochran	Lee	Wicker
Crapo	McConnell	
DeMint	Moran	

#### NOT VOTING—7

Hagan	Paul	Vitter
Inhofe	Rubio	
Murkowski	Toomey	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider shall be considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMENDING JOHN HERSCHEL GLENN

Mr. BROWN of Ohio. Mr. President, I am here today to celebrate a friend and a statesman, a former Member of the Senate, a marine aviator, a pioneering astronaut, a beloved family man, and an American hero.

Today is the 90th birthday of John Herschel Glenn.

I was 10 years old when John Glenn observed three sunsets, three sunrises, and the wonder of the universe in just under 5 hours while orbiting the Earth.

I was 16 years old when John Glenn presented to me and another couple dozen Eagle Scouts in Mansfield, OH, our Eagle Scout Award, teaching us yet again about community service and community pride.

When I was 54, in one of the most memorable moments of my professional life—with John's wife Annie and my wife Connie in the gallery—John Glenn escorted me into this Senate Chamber to be sworn in as a Senator from Ohio.

As a grandfather and a father, a husband and a Senator, I continue to be inspired by the example of a life well lived—a life in public service, a life fighting for the public good.

Born in Cambridge, OH, 150 miles east of Dayton, where the Wright brothers first figured out how to fly, he attended public school and became an Eagle Scout in New Concord.

It was there where he would meet his childhood sweetheart and future wife Annie. As children, they literally shared a playpen. John says: "She was part of my life from the time of my first memory."

On April 6, 1943, Annie and John married. Since then, they have earned the adulation and admiration from people around the world for their accomplishments and for their devoted love. By 1941, he had studied mathematics at nearby Muskingum College and earned his pilot's license.

After the attack on Pearl Harbor, he dropped out of college to enlist in the Navy and after 2 years of advanced aviator training was reassigned to the U.S. Marine Corps. John Glenn flew 59 combat missions with the Marines in World War II and 90 combat missions with both the Marines and Air Force in Korea. On some of these flying missions, he had baseball great Ted Williams on his wing. John Glenn was awarded numerous commendations and citations for his heroic military service.

In 1959, he was selected by the National Aeronautics and Space Administration (NASA) as one of the original Mercury Seven astronauts. In 1962, President Kennedy made John Glenn the first American to orbit the Earth, and 35 years later, John Glenn was asked by another President, Bill Clinton, to fly into space for a second time as a mission specialist on the Space Shuttle Discovery. At the age of 77, he became the oldest human being to fly in space, conducting a series of scientific investigations into the physiology of the human aging process and exploring the effects of space flight and aging.

By the 1960s, Glenn's service to his country had expanded into a career in politics. He was with Senator Robert F. Kennedy that fateful day in June in California, and he served as a pallbearer a few days later at Arlington National Cemetery.

In 1974, John Glenn was elected to the Senate from my State of Ohio, serving four consecutive terms until his retirement 24 years later in 1999. He served as chairman of the Committee on Governmental Affairs. He was the chief author of the Nuclear Nonproliferation Act of 1978.

Throughout the years, he continually championed the advancement of

science and technology, especially NASA, so much that 12 years ago, the NASA Lewis Research Center in Cleveland—the only NASA facility north of the Mason-Dixon Line—was officially renamed the NASA John H. Glenn Research Center.

After his retirement from the Senate, he and Annie founded the John Glenn School for Public Affairs at The Ohio State University saying: “If there is one thing I’ve learned in my years on this planet, it’s that the happiest and most fulfilled people I’ve known are those who devoted themselves to something bigger and more profound than merely their own self-interest.”

Whether he was flying in the air or floating in space, walking the campaign trails or in this Chamber, he remained grounded in his New Concord roots and always by the steady hand and constant love of Annie. When my family and I decided I should run for the Senate in the fall of 2005, the first people we called were Annie and John Glenn.

Annie’s advice to Connie then and now has been to “be yourself and not allow others to tell you who you should be.” Connie, who was a noted writer in Ohio, writes for the Cleveland Plain Dealer—Connie had this to say about Annie:

“Annie Glenn refuses to draw attention to herself, which is one of the reasons so many of us cannot get enough of her. She is that rare person who is genuinely interested in whomever is standing right in front of her. You will never capture her looking over your shoulder searching for someone more interesting, more important. If you are looking into the eyes of Annie Glenn, you have just become the most fascinating person in the world. This is not to suggest Annie is a wallflower. She was won many honors, changed many lives, through her advocacy.

She is as engaging as she is generous, full of opinions earned by living life at full throttle, even when she was scared to death. And that is a crucial truth about Annie: Americans rightly ooh and aah over John Glenn’s courage in space. But let us never forget the hero of a wife who gave her public blessing, and then privately prayed until his safe return.”

John and I traveled across Ohio on the campaign trail, hearing each other so often that we could finish each other’s speeches and roll our eyes at the same jokes we would tell.

John and Annie teach all of us about our own capacity for selflessness and to have the confidence to serve with humility and with honor. They are dedicated public servants and trailblazers whose sense of humor and smiles brighten any room and in whose presence we better understand the meaning of love and compassion. It is a love and marriage that everyone from lifelong New Concord friends to U.S. Presidents, to colleagues in this Chamber have described with affection.

Barack Obama said during a campaign stop in Columbus:

The thing I admire most about John Glenn is his relationship to his wife, Annie. They have been married for 65 years—

That was then. Now it is 68—

and you should see the way he treats her. He’s in love. Sixty-five years later he’s still in love. And no wonder, because she is a remarkable woman.

Through John and Annie’s remarkable American lives, we reveal and remember the greatness of our country, our capacity to love and to wonder and to see something greater than ourselves.

My wife Connie and I are fortunate to call Annie and John friends, and they remain trusted mentors and role models for us and so many. When his country was attacked, he enlisted. When his President asked, he served. When his country needed it, he instilled a confidence in the American spirit of scientific discovery. When his State needed his leadership, he represented the people of our State with honor.

Happy 90th birthday, John Glenn. Your life tells our Nation’s story in the 20th century, our triumphs and our turbulence, and it tells how our Nation’s spirit of discovery could be found in the humility of a hometown hero from New Concord, OH.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following my remarks, Senator DURBIN be recognized to give a brief presentation and, following that, Senator GRASSLEY will have one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JOHN GLENN

Mr. REID. Mr. President, I did not know it was John Glenn’s birthday. I am so happy I was on the floor when my dear friend from Ohio talked about John Glenn. John Glenn—when I came to the Senate, one of the first Tuesday caucuses we had I watched John Glenn stand and say: I am going to go out on the aircraft carrier USS *Kennedy* on Saturday. Would anyone like to go?

I was a new Senator. I thought everyone would raise their hand and march off with him. I was the only one who raised my hand. So I did. I went out with him. It was a wonderful experience. The seas were a little bit rough and we landed and that cable snagged that airplane going in. We were there for many hours and the seas got rougher and rougher.

The pilots coming in, this was the first time they had landed on an aircraft carrier. We went out on the deck of the ship, and the planes would come in. Oh, man. The crews there, if they did not think the plane could land—it was going too far off the end: “Dirty. Dirty.”

That meant get the plane up off the carrier, go up and come back and try it again. They did that for quite some time. Then, John Glenn said: I think I should go up in one of those airplanes. So John Glenn went up and flew an air-

plane. I do not know how old John Glenn was. It was 25 years ago, so he was a young man—he was 65—and here he comes in, landing on the aircraft carrier, John Glenn.

Totally changing the subject. A group from Nevada won the Double Dutch skip-rope championship. They came to my office over in the Hart Building to show me how good they were. Of course, it takes a little space to do it. So in one of the outside hallways there in the Hart Building they do this Double Dutch jumping.

They asked me to try it. I was so embarrassed. I could not get one step. I did not realize, but from his office, John Glenn had been watching these kids jumping rope. He comes out, the famous John Glenn, and says: Would you mind if I tried?

I do not know. I assume he was 70 years old at the time. He was perfect, did not miss a step. I mean, that is hard to do. Jumping rope is hard, but when you have two people flipping two different ropes, it is hard. He did that. What a physical specimen he was at 70 years old. Think what he must have been when he was 20 years old, a man who in World War II was an ace, meaning he shot down so many airplanes. He did the same thing in Korea. Here is a man who was the first to orbit in space. You can go see his spacecraft down in the Air and Space Museum. He says: Go look at it. He said: What they said about that is I wore it. It was so small, but he went up there.

The stories he told, I just so loved John Glenn. He said: They did not know what it would be like to go up in space. No one had ever done this. He told me about all the precautions they did the first time he went up in space. They did not know if the air sickness would come and they could not handle the flight. He was trained. He had a big hypodermic syringe that would go through his space clothes, shoot him in the thigh so he would not get too sick up there.

He learned—I do not know how many—“I come in friendship”—in many different languages because they did not know for sure, if the spacecraft would go down, who would be there. But they had a general idea where it would go. So he learned to say: “I come in friendship” in many different languages. Then, of course, he went up in space once again.

He was such a wonderful human being. I had such admiration for him. To think I was able to serve in the Senate with John Glenn says it all, and SHERROD BROWN, Senator BROWN, was absolutely right. This relationship, this love affair, that John Glenn and Annie had and have, their 68 years of marriage is remarkable.

As the books have shown and the movies show, Annie had a very bad speech impediment. She stammered. She stuttered. She stuttered until she was, I do not know how old, but in her fifties, and she stammered very much. John Glenn, when they were courting